

IFW

Serial No. 10/752,897
Docket No. 29717/04001



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Bruce J. Holub and Arun Nagpurkar
Serial No. : 10/752,897
Filed : January 6, 2004
Title : METHOD OF FORTIFYING SEEDS WITH AN ESSENTIAL
FATTY ACID, FORTIFIED SEED AND FOOD PRODUCT
Docket : 29717/04001
Art Unit : 1761

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Certificate of Mailing

I hereby certify that this correspondence is being deposited
on 11-9-04 with the United States Postal Service
with sufficient postage as first class mail in an envelope
addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Typed or Printed name of person signing this certificate:

Wendy A. Frick
Signature: Wendy A. Frick

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §§ 1.56, 1.97, AND 1.98

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 CFR §1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 CFR §1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 CFR §1.97(h), constitute an admission that any patent, publication, or other information referred to is, or is considered to be, material to the patentability of this invention. No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103, and Applicant reserves the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish otherwise. Further, pursuant to 37 CFR §1.97(g), the

Serial No. 10/752,897
Docket No. 29717/04001

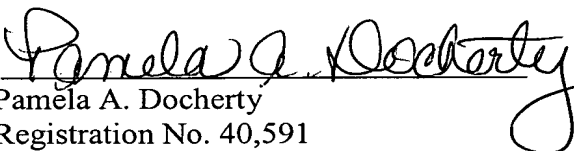
filing of this Statement should not be construed as a statement that a search has been made or that no other material information exists.

This Information Disclosure Statement is being filed within the period set forth in 37 CFR §1.97(b) because it is believed to be filed before the mailing date of a first office action on the merits.

The Office has waived the requirement pursuant to 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. Therefore, no copies of each cited U.S. patent and each cited U.S. patent application publication are enclosed, but the cited U.S. patents and the cited U.S. patent application publications are listed on PTO/SB/08A.

Respectfully submitted,

CALFEE, HALTER & GRISWOLD LLP

By 
Pamela A. Docherty
Registration No. 40,591

1400 McDonald Investment Centre
800 Superior Avenue
Cleveland, OH 44114
Telephone: (216) 622-8200
Facsimile: (216) 241-0816

93373-1
MZ/lmd
Encls.

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2
-------	---	----	---

Complete if Known

Application Number	10/752,897
Filing Date	January 6, 2004
First Named Inventor	Bruce J. Holub
Art Unit	1761
Examiner Name	Not assigned yet
Attorney Docket Number	29717/04001

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	Page No. ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY			
		CA 2,064,025	11.23.1991	H. Bumann		
		EP 0 699 437	06.03.1996	T. Bruzzese		
		WO 03003854	10-16-2003	D. Barker		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/752,897
Filing Date	January 6, 2004
First Named Inventor	Bruce J. Holub
Art Unit	1761
Examiner Name	Not assigned yet
Attorney Docket Number	29717/04001

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		A. J. SINCLAIR et al., "What is the Role of α -Linolenic Acid for Mammals?", Lipids, Vol. 37, no. 12 (2002), pp. 1113-1123.	
		E. A. EMKEN et al., "Dietary Linoleic acid influences desaturation and acylation of deuterium-labeled linoleic and ...", Biochimica et Biophysica Acta 1213 (1994), pp. 277-88.	
		G. C. Burdge et al., "Eicosapentaenoic and docosapentaenoic acids are the principal products ...", British Journal of Nutrition (2002), 88, pp. 355-63.	
		C. A. Francois et al., "Supplementing lactating women with flaxseed oil does not increase docosahexaenoic acid in their milk", Am J. Clin Nutr 2003, 77, pp. 226-33.	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

By: Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416